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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,546	08/01/2001	Michael L. Roerick	EFTD-25,790	5942

7590 05/23/2007
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EXAMINER

HAVAN, THU THAO

ART UNIT	PAPER NUMBER
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3691

MAIL DATE	DELIVERY MODE
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05/23/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/920,546

Applicant(s)

ROERICK, MICHAEL L.

Examiner

Thu Thao Havan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Response to Amendment

Claims 9-20 are pending. This action is in response to the amendment received February 28, 2007.

Response to Arguments

Please note the new 102 rejections below due to the newly amended limitations.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims **9-20** are rejected under 35 U.S.C. 102(e) as being anticipated by Ohki et al. (US 5,952,639).

Re claims **9, 11, and 16**, Ohki teaches a computer implemented method of formatting an electronic transaction message between a user device and a transaction server system in a network including a plurality of different user devices communicating with the transaction server system to conduct different types of financial transaction requiring different information depending upon the type of transaction, comprising (col. 5, lines 21-36; col. 8, lines 16-41;

Ohki teaches a message format when he discloses a user's request to carry out a particular operation such as deposit a check. A user's request is a type of message format)

comprising:

Identifying the type of financial transaction based on a user's input to an input device (col. 5, lines 27-36; col. 8, lines 16-21; Ohki teaches a plurality of menus for a user to select (ie. input) from a touch screen panel in an ATM);

selecting data fields required to transmit information necessary to conduct the transaction from a plurality of predetermined data fields used to transmit information for the different types of financial transactions (col. 8, lines 16-21; Ohki discloses a first message segment when he discloses a menu. This menu is static because the data do not change since the data includes consistent menu items for a user to select such as to deposit money.);

determining a data format for the electronic transaction message between one of the user devices and a transaction server that includes the selected data fields for information required to conduct the transaction, the transaction message including first and second message segments wherein the first message segment includes a data field for a code that uniquely identifies the user device from other user devices connected to the transaction server system and the second message segment includes data fields necessary to transmit the information required to conduct the financial transaction and omits those data fields for information relating to the other types of financial transactions conducted on the system (col. 8, line 19 to col. 9, line 30; Ohki discloses a second message when he discloses the deposit menu changes due to user selecting either cash or electronic money to be deposited.); and

wherein the first message segment includes a data field for identifying the format of the second message segment (col. 8, line 11 to col. 9, line 64; Ohki teaches a first message as static menu having field such as many different menu items. As for the second message, he discloses a dynamic or changing deposit menu that changes in relation to user's selection cash or electronic money).

Re claims **12**, and **17**, Ohki teaches the transaction message includes a third message segment, the method further comprising determining a data format for the third message segment and including a data field in the first message segment that identifies the format of the data fields of the third message segment wherein the format of the third message segment includes data fields specific to a good or service selected by the user of the user device (col. 19, lines 30-67). Ohki teaches a third message when he discloses the ATM touch panel has electronic money in an IC card wherein the user can purchase commodities and can receive a variety of services relating to electronic money. The field in the first message is related to the third message since the menu is the ATM touch panel is the same.

Re claim **10**, Ohki teaches first message segment includes a data field for routing information for routing the message in the network (figs. 1 and 3). Ohki discloses in the bank branch system, banking teller terminals are connected to an automatic teller machine by way of an internal communication line. The banking teller terminals and the automatic teller machine are connected to the bank computing center by way of a relay computer. Thus, the banking teller terminals and the automatic teller machine are connected to an electronic value box by way of an electronic-money transaction management terminal. These are two

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terminals interacting with each other to transfer messages such as financial transaction like depositing money.

Re claim **14**, Ohki teaches transaction server communicates with a vendor to provide the good or service identified by the user to complete the financial transaction (col. 19, line 44 to col. 20, line 28). Ohki discloses a POS terminal for user to purchase product or services.

Re claim **18**, Ohki teaches a data field of the second message segment is formatted to store a code indicating a chosen method of payment by the user is currency (col. 8, lines 19-37). Ohki discloses cash or electronic money. Cash is a currency.

Re claims **15** and **19**, Ohki teaches second message segment includes data fields for authorization information necessary to conduct the financial transaction (col. 8, lines 19-67). Ohki discloses data fields when he discloses different options in a deposit menu such as permitting the user to select either cash or electronic money.

Re claims **13** and **20**, Ohki teaches a data field of the first message segment specifies one of a method of payment selected from a group consisting of ATM card, credit card, debit card, smart card or cash (col. 8, line 12; col. 4, lines 40-65; figs. 6 and 2). Claims 13 and 20 are markush claims, thus Examiner takes the position of addressing one element (ATM). Ohki clearly teaches an ATM. On a further note, the phrase "or" as claimed only requires one element be met by the prior art.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (571) 272-8111. The examiner can normally be reached on her flextime schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct-uspto.gov/>. Should you have questions on access to the

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Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

TTH
5/12/2007

A handwritten signature in black ink, appearing to read "Alexander M. Nowinski", written in a cursive style.

ALEXANDER M. NOWINSKI
SUPERVISORY TRAINER